

**City of Grove City
BOARD OF ZONING APPEALS
MEETING MINUTES
FOR: August 23, 2010**

Regular Meeting

Board Member Harold “Butch” Little called the Board of Zoning Appeals regular meeting to order at 7:00 p.m. at the Grove City Municipal Building, 4035 Broadway. Present were: Board members Harold “Butch” Little, John Brant and Jeff Davis; Chief Building and Zoning Official Michael Boso; Permit Technician Irene Metheney; and Asim Haque of Schottenstein, Zox & Dunn, representing the City. Also present were: Dick Bigham and Greg Kitzmiller, representing The Citizens Bank, 2250 Stringtown Road; Mark Powless, 5822 Donavans Bluff; John Trant, 5832 Donavans Bluff; and Bill Baker, 130 Cottage Street, representing David Hay, 3519 Park Street.

Motion was made by Mr. Little to approve the minutes of the July 26, 2010, regular meeting.

Seconded by Mr. Brant. VOTE: Brant, YES; Little, YES; Davis, ABSTAIN. APPROVED.

All who wished to address the board were sworn in at this time.

- 1.) **Hear the appeal of Richard D. Bigham Jr., representing The Citizens Bank, 2250 Stringtown Road**, for a variance to Section 1145.06(d) of Grove City’s Codified Ordinances to mount two signs on canopies.

Mr. Bigham Jr. stated that his associate, Greg Kitzmiller, would address the board tonight on his behalf. Mr. Kitzmiller stated to the board that shadows are cast and the sign blends in so much it cannot be seen. The sign was originally designed to be at the edge of the canopy and he felt that if it could be moved out to the edge of the canopy, that would solve a lot of the problems.

Mr. Little asked if Mr. Kitzmiller had anything further to say, and he responded that he did not. Mr. Little asked if there were any questions.

Mr. Brant asked if any correspondence had been received regarding this appeal. Ms. Metheney responded that there had not been any correspondence received.

Mr. Little asked what location was submitted for approval. Mr. Kitzmiller responded that originally it was to the front but basically fell under a marquee. Everything was already designed, so it was then put on the wall.

Mr. Little asked if they could change the colors. Mr. Kitzmiller responded that they could not because these were the bank’s colors. Mr. Little asked the width and length of the canopy. Mr. Kitzmiller responded that the total distance to move would be 30 inches.

Motion was made by Mr. Little to approve the appeal of Richard D. Bigham Jr., representing The Citizens Bank, 2250 Stringtown Road, for a variance to Section 1145.06(d) of Grove City’s Codified Ordinances to mount two signs on canopies.

Seconded by Mr. Brant. Vote: Little, YES; Davis, YES; Brant, YES. APPROVED.

Mr. Little advised the applicant that there is a 21-day period during which the board's approval of the variance may be appealed to City Council, and that any work done during that time would be at the applicant's risk.

2.) **Hear the appeal of Mark Powless, 5822 Donavans Bluff**, for the following variances:

- a) To Section 1135.10(a) of Grove City's Codified Ordinances to construct an addition to an attached garage that would exceed the 900-square-foot allowable area for attached garages by 38 square feet.
- b) To the requirements of Table 1135.10-I of Grove City's Codified Ordinances to encroach the 6-foot side setback by up to 5 feet, 10 inches.

Item A

Mark Powless addressed the members of the board, stating that he would like to add to an existing attached garage because his existing garage is too small. The additional garage as planned would be the same color and design as the house, so it would blend. Mr. Powless stated that the Home Owner's Association would approve of this addition if the BZA approved.

Mr. Little asked if there were any questions. Mr. Davis asked if there had been any response from his neighbors. Mr. Powless responded that he had spoken with his neighbor next door last year about this and the neighbor was not opposed, but Mr. Powless has heard that the neighbor is opposed to this. Mr. Davis asked if the addition would be just a few inches from the property line. Mr. Powless affirmed but stated that he could come in a little, possibly could do 12 feet, but not much smaller for a garage. Mr. Little asked if Mr. Powless was saying he would drop the appeal for 38 square feet. Mr. Powless said yes.

Mr. Little announced that Mr. Powless has dropped the variance request and there was not need to vote.

Mr. Powless stated that his lot is at an angle, the front being 14 feet. Mr. Brant asked Mr. Powless if he could move in more than 2 inches by moving back. Mr. Powless responded that if the garage was 12 feet wide, it would barely open the doors, and he wanted to put in a 12-foot door. If he were to make the garage a little smaller, his truck wouldn't fit. Mr. Little asked him if he could get down to 14 feet moving the front of the garage back. Mr. Powless responded that if he opened up the old garage to get to the new garage there would not be room to get to the truck. Mr. Little asked if he could move the garage back to allow more space and have a 6-foot side yard. Mr. Powless responded that he would not be able to get to the garage. Mr. Little responded that this was going way beyond what the board could consider and that the board was trying to come up with a solution without upsetting the neighborhood. Mr. Brant asked how far back 2 feet, 2 inches, one-third of the requirement, would have to be. Mr. Powless responded that if it was pushed too far back, he could not access from the house.

Mr. Little stated options: 1) Agree to reduce size of garage to 12-13 feet. 2) Offset garage to rear by 2 feet – move back, thus decreasing the encroachment.

Mr. Little asked if there was anyone wishing to address the board on this matter.

John Trant of 5832 Donavans Bluff came forth to address the board. He stated that 1 foot or 1-and-a-half feet would not be a problem, but now it is going to be 2 inches where it was 14 feet, not 13 feet. Mr. Trant stated that he moved to Grove City for more space. He stated that his house is one of the smaller homes in the subdivision, and this will make his home look very small and he doesn't want this structure that close.

Mr. Little asked if the board had questions. Mr. Brant asked if a plot plan had been submitted to the Grove City Building Division. Mr. Boso responded that a survey was submitted. Mr. Brant stated that Mr. Powless could ask to table this in order to bring a plot plan back to the next BZA meeting. Mr. Little stated that by getting a plot plan it would show the distance from the corner of the garage and still stay within what he can do. Mr. Powless would have the option to present more evidence.

Motion was made by Mr. Little to table the appeal until the next regularly scheduled BZA meeting, to be held September 27, 2010.

Seconded by Mr. Brant. VOTE: Davis, YES; Brant, YES; Little, YES. APPROVED

3.) **Hear the appeal of David C. Hay, 3519 Park St.,** for the following variances:

- c) To Section 1135.10(a) of Grove City's Codified Ordinances to build a detached garage that exceeds the 700-square-foot allowable area for detached garages by 20 square feet.
- d) To the requirements of Table 1135.10-I of Grove City's Codified Ordinances to encroach the 25-foot rear setback by 10 feet.

Mr. Bill Baker, 130 Cottage Street, spoke for David Hay, who could not attend meeting due to being hospitalized. Mr. Baker is a friend of the Hays.

Item A

Mr. Baker stated that four other 24x30-foot three-car garages are built in the alley, and the Hays want the same as the others. They are 6 feet off the lot line and 16 feet off the other side. Mr. Brant asked Mr. Baker if he was basically saying that at least three others will be the same distance. Mr. Baker responded that there was only one at 25 feet. If the Hays went the 25 feet, they would be digging out a large tree, which they don't want to happen.

Mr. Brant asked Mr. Baker what his relationship was to the Hays, and he responded that he was a friend. Mr. Brant was not sure if he was the contractor. Mr. Brant asked him if he would get a letter from David Hay authorizing him to speak on their behalf so it would be on record. Something should be on record showing clearly that Mr. Baker is authorized to speak for the Hays. Mr. Brant said there would be no problem taking action tonight just as long as they know there will be a letter of authorization for the record.

Mr. Little asked Mr. Baker if he still wanted to build this garage that would exceed the 700 square feet allowable by 20 square feet. Mr. Baker affirmed.

Mr. Little asked if there were any other questions. Mr. Brant responded by asking Mr. Boso if he had any idea when the other garages were built. Mr. Boso responded that he did not.

Motion was made by Mr. Little to grant the variance to Section 1135.10 (a) of Grove City's Codified Ordinances for David C. Hay, 3519 Park Street to build the detached garage that exceeds the 700-square-foot allowable area for detached garages by 20 square feet.

Seconded by Mr. Brant. VOTE: Brant, YES; Little, YES; Davis, YES. APPROVED.

Motion was made by Mr. Little to approve the appeal of David C. Hay, 3519 Park St., for a variance to the requirements of Table 1135.10-I of Grove City's Codified Ordinances to encroach the 25-foot rear setback by 10 feet.

Seconded by Mr. BRANT. VOTE: Little, YES; Davis, YES; Brant, YES. **APPROVED.**

Mr. Little asked if there was any new business to discuss, and none was indicated.

Adjournment.

Motion was made by Mr. Little and seconded by Mr. Davis to adjourn the meeting at 8:00 p.m.
VOTE: Davis, YES; Brant, YES; Little, YES. **APPROVED.**

Harold "Butch" Little, Chairman

Irene Metheney, Secretary